



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,197	06/30/2003	Tetsuo Urabe	SON-1938/DIV	8795
23353	7590	12/29/2004	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			WILLIAMS, JOSEPH L	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,197

Applicant(s)

URABE ET AL.

Examiner

Joseph L. Williams

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/30/03 & 3/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa (US 6,194,837).

Regarding claim 5, Ozawa ('837) teaches in figure 6A, a method for manufacturing a display apparatus including a substrate, a plurality of pixels formed on said substrate, and a barrier plate for separating adjoining pixels of said pixels from each other, each of said pixels having a lower layer portion including a wiring formed on said substrate, an upper portion including an organic electro-luminescent element, and

Art Unit: 2879

a middle layer portion for insulating said lower layer portion and said upper layer portion from each other electrically, said method comprising the steps of: forming said lower layer portion including the wiring on said substrate; forming said middle layer portion so as to cover said lower layer portion; forming a contact hole connected with the wiring in said middle layer; forming said organic electro-luminescent element on said middle layer portion to connect said organic electro-luminescent element with the wiring in said lower layer portion through the contact hole formed in said middle layer portion; and disposing said barrier plate so as to overlap with a region including the contact hole.

Regarding claim 8, Ozawa ('837) teaches the step of forming said lower layer portion comprises the steps of forming a scanning wiring, a part of said wiring, for supplying first electric information for selecting said pixels; forming a data wiring, another part of said wiring, for supplying brightness information for driving said pixels; forming a first active element controlled by second electric information supplied from the scanning wiring and having a function of writing the brightness information supplied from the data wiring into one of said pixels; and forming a second active element having a function of controlling emission of light of said organic electro-luminescent element by supplying a current to said organic electro-luminescent element in accordance with the written brightness information.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa (US 6,194, 837) in view of Hosokawa et al. (US 5,121,029).

Regarding claim 6, Ozawa ('837) teaches all of the claimed limitations except for the reflective anode and a transparent cathode.

Further regarding claim 6, Hosokawa ('029) teaches an EL device which uses a reflective anode and a transparent cathode for the purpose of improving the brightness of the display.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the reflective anode and a transparent cathode of Hosokawa in the display of Ozawa for the purpose of improving the brightness of the display.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa (US 6,194,837) in view of Hosokawa et al. (US 5,121,029) as applied to claim 6 above, and further in view of Ootsuki et al. (US 6,087,772).

Regarding claim 7, Ozawa ('837) in view of Hosokawa ('029) teaches all of the claimed limitations except for the organic layer being composed of laminated films.

Further regarding claim 7, Ootsuki ('772) teaches and organic layer composed of laminated films and selectively formed with a mask for the purpose of improving the transportation properties and thus the brightness of the display.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the organic layer composed of laminated films of Ootsuki in the display of Ozawa in view of Hosokawa for the purpose of improving the transportation properties and thus the brightness of the display.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joseph L. Williams
Primary Examiner
Art Unit 2879